

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ANNIE D. McCOY PORTER

§

VS.

§

CIVIL ACTION NO. 6:06cv314

COMMISSIONER,

SOCIAL SECURITY ADMINISTRATION

§

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge John D. Love. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommended that the case be reversed and remanded with instructions for the Commission to grant Plaintiff's application and to calculate the disability benefits due Plaintiff from the alleged onset date of March 6, 1995, to the date her insured status expired, March 31, 1999.

Plaintiff filed objections which point out that disability insurance benefits would not automatically end when her insured status expired, and that the Court should reverse and remand with instructions for the Commission to grant Plaintiff's application and to calculate the disability benefits due Plaintiff from the alleged onset date of March 6, 1995, but not ending on the date her insured status expired, March 31, 1999.

This Court finds that the Magistrate Judge's findings and conclusions are correct and adopts them as the Court's findings and conclusions except to the extent that they recommend calculating benefits for a closed period. The Court therefore

ORDERS, ADJUDGES, and DECREES that the above-entitled Social Security action is **REVERSED** and **REMANDED** to the Social Security Administration for the payment of all

accumulated benefits due Plaintiff from the alleged onset date of March 6, 1995; and

ORDERS that all motions not previously ruled on are denied.

So ORDERED and SIGNED this 27th day of March, 2008.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE